

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILLIP BIG LEGGINS,

Defendant.

CR-04-112-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 15, 2023. (Doc. 73.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 14, 2023. (Doc. 70.) The United States accused Phillip Big Leggins (Big Leggins) of violating his

conditions of supervised release 1) by using suboxone; 2) by failing to complete his 180-day term at Alpha House; and 3) by failing to complete his sex offender treatment program. (Doc. 69.)

At the revocation hearing, Buckles admitted to having violated the conditions of his supervised release 1) by using suboxone; 2) by failing to complete his 180-day term at Alpha House; and 3) by failing to complete his sex offender treatment program. (Doc. 69.) Judge Johnston found that the violations Big Leggins admitted prove serious and warrants revocation of his supervised release and recommends a sentence of 6 months with 39 months of supervised release to follow. Judge Johnston also recommend that Big Leggins serve the first 180 days of supervised release in Alpha House or a similar residential re-entry center, if possible. (Doc. 73.) Big Leggins was advised of his right to appeal and allocute before the undersigned. (Doc. 70.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 73) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Phillip Big Leggins be sentenced to the Bureau of Prison for a period of 6 with 39 months of supervised release to follow with the first 180 days of supervised release in Alpha House, or a similar residential re-entry center, if possible.

DATED this 30th day of November, 2023.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris, Chief District Judge
United States District Court